

ASSIGNEDSerial No. **54738**

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office **MAY 09 1990**

Returned to applicant for correction

Corrected application filed _____ Map filed **MAY 16 1990** under 54729The applicant **AQUEDUCT I LTD.**

P.O. Box 2790

Street and No. or P.O. Box No.

of

Reno

City or Town

Nevada 89505

State and Zip Code No.

hereby make S application for permission to change the

Point of Diversion, Place of Use and Manner of Use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Claim # 553 of the Final Decree, Titled The United
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
States of America Plaintiff vs. Alpine Land & Reservoir Company, a corporation
identify right in Decree.

Etal, Defendants Civil No. D-183BRT

- The source of water is West fork of the Carson River
Name of stream, lake, underground spring or other source.
- The amount of water to be changed As decreed (132.75 ACRE FEET)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for storage
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for As decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point Please refer to EXHIBIT "A"
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

- The existing permitted point of diversion is located within Deluchi No. 2 or Hellwinkel E. No. 2 or
If point of diversion is not changed, do not answer.
Dressler E. side now Deluchi No. 1 as shown in the Carson River Decree and Maps,
within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, T.11N., R.20E., M.D.B.&M.

- Proposed place of use Mud lake located within portions of W $\frac{1}{2}$ Section 3; E $\frac{1}{2}$ Section 4;
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
NE $\frac{1}{4}$ Section 9; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 T.11N., R.20E. Please refer to the Carson
River Decree Maps

- Existing place of use See EXHIBIT "B" and please refer to the Carson River Decree
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
Map
manner of use of irrigation permit, describe acreage to be removed from irrigation.

- Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

- Use was permitted from As Decreed to As Decreed of each year.
Month and Day Month and Day

- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
Headgate located in the Carson River known as
specifications of your diversion or storage works.) Millich ditch and the alternate diversion
State manner in which water is to be diverted, i.e. diversion structure,
Snowshoe Thompson #2, Indian Creek, inlet to
Mud lake, gauging station and reservoir facility; as provided under claim 463
ditches, pipes and flumes, or drilled well, etc.

- Estimated cost of works Completed under Carson River Decree

- Estimated time required to construct works Completed under Carson River Decree

14. Estimated time required to complete the application of water to beneficial use. 5 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Applicant intends to place the full duty of the decreed water into storage at
Mud lake in the amount of 4632.3 Acre feet. Both the Millich and Snowshoe
Thompson ditches will be used to divert the necessary flows throughout the
year to satisfy the decreed duty.

By s/Jack D. Ferris
THIEL, WINCHELL & ASSOCIATES
34 Lakes Blvd., Suite 101
Dayton, Nevada 89403

Compared bc/ ap jr/bk

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner and place of use of Claim No. 553 of the Carson River as heretofore granted under the Final Carson River Decree No. D-183, in the District Court of the United States in and for the District of Nevada, is issued subject to the terms, conditions and irrigation period imposed in said Final decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

The total combined duty of water under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737, 54738 and the Permittee's portions of Claim No's. 463, 814 and 814A shall not exceed 1894.75 acre feet annually.

On April 1st of each year, the permittee shall report to the State Engineer and the Federal Water Master, the quantity of water stored in the Mud Lake Reservoir, under his portions of Claim No's. 463, 814 and 814A, during the just concluded non-irrigation season. This quantity of water, up to a maximum of 1057.33 acre feet, shall be subtracted from 1894.75 acre feet, the total quantity of water approved under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737 and 54738. The remainder is the quantity of water allowed to be diverted under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737 and 54738 this season, measured near the point of diversion from the West Fork of the Carson River. 40% of this quantity may be diverted in April, 40% in May, and the remaining 20% will be diverted as regulated, in June.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 73.75 acre-feet per season XXXXXXX as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before September 12, 1996

Proof of completion of work shall be filed before October 12, 1996

Application of water to beneficial use shall be made on or before N/A

Proof of the application of water to beneficial use shall be filed on or before N/A

Map in support of proof of beneficial use shall be filed on or before N/A

OCT 22 1996

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 12th day of September,

A.D. 1995

R. Michael Turnipseed P.E.
 State Engineer

EXHIBIT A

Millich ditch - NW1/4 SE1/4, Section 34, T.11 N., R.19 E., M.D.B.&M. or at a point from which the SE corner of Section 35 T.11 N., R.19 E., M.D.B.&M. bears S. 76° 45' 39" E. A distance of 7039 feet.

or from Alternate diversion:

Snowshoe Thompson #2 - NE1/4 NW1/4, Section 35, T.11 N., R.19 E., M.D.B.&M. or at a point from which the SE corner of said Section 35, bears S. 42° 47' 16" E. A distance of 5586.77 feet.

EXHIBIT "B"

<u>CLAIM #</u>	<u>DITCH</u>	<u>ACRES</u>	<u>QTR/QTR</u>	<u>SECTION</u>	<u>TWP.</u>	<u>R. M.D.B.&M.</u>
553	DELUCHI	2.0	NENW	8	11N	20E
	NO.2					
	OR	27.5	E1/2SW	5	11N	20E
	HELLWINKEL					
	E. NO.2 OR					
	DRESSLER E.					
	NOW DELUCHI					
	NO.1					

TOTAL: 29.5 ACRES

